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July 24, 2014

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VIA E-MAIL AND U.S. MAIL

Jennifer Schembri
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Re: Ballot Measure Regarding Open Negotiations
File No.: 040717

Dear Jennifer:

I want to follow up our meeting last week, at the conclusion of which we briefly discussed the City's proposed ballot language on what I will term Open Negotiations.

The POA's position is that it would be interested in discussing the concept of open negotiations for proposed changes in the City Charter.

Had open negotiations existed in 2011, members of the public would have had an opportunity to judge for themselves: the veracity of the City's financial projections (remember \$650 million?); the prediction by the POA that Measure B would destroy the San Jose Police Department by driving its finest officers to other agencies; the sincerity of the POA/Fire counter-proposals, which could have already implemented tens of millions of dollars in legal pension savings, and the farcical approach to bargaining about that pension measure taken by City Labor Relations.

We tend to agree with the other labor unions that for regular bargaining, open negotiations is probably best reserved for ground rules.

Jennifer Schembri
Re: Ballot Measure Regarding Open Negotiations
July 24, 2014
Page 2

Unfortunately, given the fast-approaching deadline for the City Council to approve language for the City-sponsored ballot proposition for the November 2014 election, the City has left it until very late in the day to raise this issue, which has a number of significant discussion points.

Very truly yours,

CARROLL, BURDICK & McDONOUGH LLP



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GMA:jo

cc: Ed Shikada, City Manager
Jim Unland, President, San Jose POA
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